

**REMARKS/ARGUMENTS**

Claims 1, 2 and 4-11 were pending in this application. Claims 1 and 7 have been amended. Claims 4-6 have been canceled. New Claim 12 has been added. No new matter has been added with this amendment. Reconsideration is respectfully requested in light of the foregoing amendments and following remarks.

**Claim Rejections - 35 U.S.C. 103**

Claims 1-2, 4-7 are rejected under 35 U.S.C. 103(a) as allegedly being obvious over Davis (US20030025729) in view of Iwatani (US6725295). In order to further the prosecution of the present application and better articulate the presently claimed invention, claim 1 has been amended as set forth above without acquiescence or prejudice. Applicant respectfully submits that amended claim 1 is not obvious over Davis in view of Iwatani for reasons set forth below.

The Davis reference is directed towards a software solution for displaying a markup of a graphical image from one client to another client by transmitting a markup file across a network. The problem underlying the presently claimed invention of providing a device for data communication between two host devices and at least one client device in a network is not the problem that the Davis reference attempts to address.

The device of the presently claimed invention as is recited by amended claim 1 is directed to a hardware solution where the host applications and the client applications are not directly connected to one another via the data bus but through a master application interface module and a client application interface module, respectively. The specification describes that the client application interface modules (CAPIM) are incorporated in the data bus and are thus hardware devices.

Furthermore, as is shown in Fig. 1 and disclosed in the description of the present application the master application (MAPP) and the master application interface module (MAPIM) are hardware devices (page 6, fourth paragraph (beginning with "In this device ...").

Such a hardware structure, wherein a ring bus incorporates the master application interface modules (MAPIM) of both host devices, the client application interface modules (CRPIM) of the clients and the bus control module (BCM) is not disclosed or suggested in Davis; nor is this disclosed or suggested in Iwatani.

Davis discloses a mechanism for a messenger system. However, details of the communication system are not disclosed in Davis. Davis uses computers as clients and as the server so that Davis's solution is a mere software solution running on the respective computers. In stark contrast, as is presently claimed, the clients are hardware devices and only the host maybe a computer which, however, still needs an additional interface, namely the master application and the master application interface module which are described in the present application on page 2, paragraph 4 (beginning with "The master application ..."). Furthermore, Davis discloses that the communication is carried out between clients. In contrast, the presently claimed invention, and specifically as recited by the method as claimed in claims 7 and 12 is directed toward a communication between one of the hosts and a client and not between clients. It is the Applicant's belief that this distinguishing feature does not seem to have been fully appreciated by the Office Action. One of the problems underlying the present invention is the concurrence between two hosts implemented in a network together with at least one client where it is necessary to define a mechanism ensuring that only one of the host has access to the client(s).

Iwatani discloses (e.g., in its Fig. 2) a fiber channel network. It is described in col. 5, lines 1 to 7 that a plurality of host adapters are connected to a plurality of channel adapters without indicating that the network is a ring bus. In col. 5, lines 9 to 14, Iwatani discloses that the interface which is not particularly described may be a hub or a SCSI, and not a ring bus as is presently claimed. Furthermore, Iwatani in Fig. 2 shows direct lines from each host adapter to a respective channel adapter, e.g. the dashed lines from host adapter # 121 to channel adapters # 311, # 312 and # 410 which indicate a star-shaped network and not a ring bus.

Applicant respectfully submits that Iwatani does not disclose or suggest a device as claimed in amended claim 1 of the present application, nor discloses the method as claimed in claims 7 or 12 of the present application.

Furthermore, Applicant respectfully submits that neither Iwatani, nor Davis, nor a combination of these references would render obvious the device, or the method of the presently claimed invention.

Claims 8-11

Claims 8-11 are rejected under 35 U.S.C. 103(a) as allegedly being obvious over Davis in view of Iwatani and in further view of Kleewein et al. (US6,360,225). For reasons set forth above, Applicant respectfully submits that independent claim 7 is not obvious over a combination of Davis and Iwatani. Furthermore, dependent claims 8-11 which depend from independent claim 7 and include all the features and elements of claim 7, are also patentable at least to the same extent that claim 7 is patentable for the reasons set forth above. Furthermore, the deficiencies of Davis, Iwatani, or a combination of Davis and Iwatani are not overcome by the disclosure of the Kleewein reference. Kleewein shows the topology of a known system where the interface module is connected to each database instance in the respective server by an individual connection line. Kleewein does not disclose a bus system, or in particular a ring bus system. Furthermore, the problem of coordinating the access wishes of two hosts in a ring bus network as in the presently claimed invention is not disclosed or suggested by the Kleewein device. Accordingly, Applicant respectfully submits that Kleewein cannot lead a person skilled in the art to the solution found in the claimed methods of the pending application.

**CONCLUSION**

In view of the foregoing, Applicant submits that this application is in condition for allowance, and a formal notification to that effect at an early date is requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (415) 576-0200.

Respectfully submitted,



Babak Kusha  
Reg. No. 51,095

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: (415) 576-0200  
Fax: (415) 576-0300  
BK:JGS:jhw  
60755479 v1